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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,973	10/17/2001	David A. Griego	42390.P12268	8148

8791 7590 12/29/2003

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

EXAMINER

MAI, RIJUE

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 12/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/981,973

Applicant(s)
Griego et al.

Examiner
Rijue Mai

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2182



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Oct 17, 2001 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-26 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Tadman et al.
US pat. 5,983,266 (hereinafter Tadman) .

As per claims 1, 10, 13, 20 and 24, Tadman teaches a method and apparatus (see abstract) comprising: sending a message to a receiving module, the message comprising at least one function supported by a sending module along with at least one corresponding function pointer to the at least one function supported by the sending module (see col 16, lines 11-24, lines 38-48); receiving from the receiving module a message including at least one function supported by the receiving module along with at least one corresponding function pointer to the at least one function supported by the receiving module (see col 17, lines 42-48, col 18, lines 18-32);

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communicating with the receiving module using the at least one function pointer to the at least one function supported by the receiving module (see col 17, lines 8-27, col 18, lines 6-16).

Referring to claims 2-9, 11-12, 14-19, 21-23 and 25-26, Tadman further teaches the system and method comprising: determining functions that are called directly, by the sending module and the receiving module (see col 9, lines 26-41); building an interface using the functions that are called directly by the sending module and the receiving module (see col 10, lines 29-51); using messages if the receiving module does not support a particular function (see col 25, lines 27-37); wherein the sending module and receiving module are locally disposed on a bus (see col 16, lines 49-60, col 24, lines 2-24); the bus is at least one of a peripheral component interconnect (PCI) bus, an EISA bus, a PCIX bus, a 3GIO bus, a hyper-transport bus and an infiniband architecture (see col 6, lines 27-53); the receiving module communicates with at least one of a controller and a storage device (see col 10, lines 4-11), the controller is a network controller (see col 7, lines 41-50); the sending module and receiving module communicate with each other via a first processor (see col 7, lines 54-60); the first processor communicates with the second processor via a bus (see col 8, lines 60-65).

Conclusion

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rijue Mai** whose telephone number is (703) 308-7098

The examiner can normally be reached on Monday-Thursday from 7:00 AM to 4:30 PM, and alternate Friday Eastern Time. The examiner can also be E-mailed at **Mai.Rijue@uspto.gov**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeffrey Gaffin, can be reached on (703) 308-3301.

6. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Assistant Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Or faxed to:

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(703) 872-9306, (for formal communications intended for entry)

Or:

(703) 746-7240, (for informal or draft communications, please label

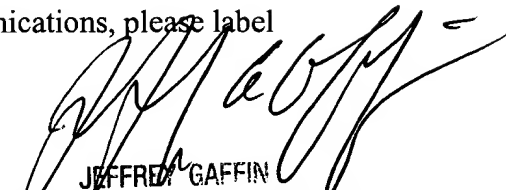
“PROPOSED” or “DRAFT”)

EXAMINER

Rijue Mai

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November 26, 2003


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100